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Suppl. Decl.  
8.21.03

PATENT

**SUPPLEMENTAL DECLARATION AND POWER OF ATTORNEY  
IN PATENT APPLICATION**Attorney Docket No.: 2303-18-3 formerly NIH-108

As a below named inventor, I hereby declare:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

Production of Attenuated Chimeric Respiratory Syncytial Virus Vaccines for  
Cloned Nucleotide Sequences

the specification of which

       is attached hereto.☒ was filed on April 13, 1999 as U.S.  
Application Serial No. (or PCT International Application No.)  
09/291,894 and was amended on 09/15/01 and 11/18/02 (if  
applicable).I hereby state that I have reviewed and understand the contents of the above-  
identified specification, including the claims, as amended by any amendment  
referred to above.I acknowledge the duty to disclose information which is material to patentability as  
defined in Title 37, Code of Federal Regulations, Section 1.56.I hereby claim foreign priority benefits under Title 35, United States Code, Section  
119(a)-(d) or Section 365(b), of any foreign application(s) for patent or inventor's  
certificate, or Section 365(a) of any PCT International application designating at least  
one country other than the United States listed below and have also identified below  
any foreign application for patent or inventor's certificate having a filing date before  
that of the application on which priority is claimed.

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## Prior Foreign Application(s):

<u>Number</u>	<u>Country</u>	<u>Date Filled</u>	<u>Priority Claimed</u>
_____	_____	<u>Day/Mo/Year</u>	<u>Yes No</u>

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below.

<u>Application No.</u>	<u>Filing Date</u>
<u>60/047,634</u>	<u>May 23, 1997</u>
<u>60/046,141</u>	<u>May 9, 1997</u>
<u>60/021,773</u>	<u>July 15, 1996</u>
<u>60/007,083</u>	<u>September 27, 1995</u>

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>Application Number</u>	<u>Filing Date</u>	<u>Status: Patented/ Pending/Abandoned</u>
<u>08/892,403</u>	<u>July 15, 1997</u>	<u>Issued as 5,993,824 on 11/30/99</u>
<u>09/847,173</u>	<u>May 1, 2001</u>	<u>Pending</u>
<u>08/720,132</u>	<u>September 27, 1996</u>	<u>Issued as 6,264,957 on 07/24/01</u>

I hereby appoint the attorneys associated with Customer No. 000996 to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith. Address all correspondence and phone calls to:

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AUG 18 '03 23:28 No.012 P.04

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

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August 20, 2003

**FACSIMILE MESSAGE – COVER SHEET**

To: Examiner Zachariah Lucas

Fax number: 703.746.8480

Company: U.S. Patent and Trademark Office

Confirmation No: 2725

No. of pages: 4

From: Jeffrey J. King

Our Ref: 2303-18-3 formerly NIH-108

Regarding: Amendment/Response and Terminal Disclaimer

**PLEASE DELIVER TO EXAMINER LUCAS UPON RECEIPT**

Message:

Dear Examiner Lucas:

Attached please find the correct Supplemental Declaration that was discussed during the telephonic conference of today.

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